

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-5 and 9-13 rejected under 35 U.S.C. 102(e) as being anticipated by Kelly et al. (US 2006/0093315).

**Regarding Claim 1:** Kelly et al. discloses an information transmitting apparatus comprising: an adding device which adds border information, which designates a boarder between a partial recording information piece and another partial recording information piece, to recording information, the recording information including a plurality of partial recording information pieces (**paragraph 0015 and 0101**); and a transmitting device which transmits the recording information with the border information added thereto and transmission order information designating a transmitting order of the partial recording information pieces (**paragraph 0015,0101 and Fig. 1**).

**Regarding Claim 2:** Kelly et al. discloses an information transmitting apparatus according to claim 1 comprising: a first transmitting device which transmits the transmission order information using a transmission method by which it is assured that information arrives at where the information is transmitted (**paragraph 0019**); and a

second transmitting device which transmits the recording information using a transmission method different from that for the transmission order information **(paragraph 0019)**.

**Regarding Claim 3:** Kelly et al. discloses an information recording apparatus which receives input of recording information having a plurality of partial recording information pieces and boarder information designating a border of the partial recording information pieces and transmission order information designating an order of transmitting the partial recording information, and records at least the recording information to a recording medium, comprising: an erroneous detection detecting device which detects an erroneous detection of the boarder information on the basis of the transmission order information **(paragraph 0021-0023 and 0059)**.

**Regarding Claim 4:** Kelly et al. discloses an information recording apparatus according to claim 3, wherein the erroneous detection detecting device comprising: a counting device which counts a number of the border information **(paragraph 0021 and 0060)**; and a comparison device which compares a counted value obtained by the counting device and a value of the transmission order information **(paragraph 0021, 0060 and 0104)**.

**Regarding Claim 9:** Kelly et al. discloses an information recording apparatus according to claim 4, further comprising: a generation device which generates control information on the basis of the border information **(paragraph 0101)**; a correction device which corrects the control information for controlling the recording information that is recorded

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when an erroneous detection of the border information is detected (**paragraph 0021-0023**); and a recording device which records the control information thus corrected onto the recording medium (**paragraph 0024 and 0026**).

**Regarding Claim 10:** Kelly et al. discloses an information recording apparatus according to claim 5, further comprising: an adding device which adds time information to the recording information that is recorded onto the recording medium (**paragraph 0002**), wherein the correcting device detects a discontinuous point of time information, which time information is added to the recording information, and regenerates the control information by regarding the discontinuous point thus detected as a border of the partial recording information piece (**paragraph 0021-0023**).

**Regarding Claim 11:** Kelly et al. discloses an: An information recording apparatus according to claim 9, further comprising: an adding device which adds time information to the recording information that is recorded onto the recording medium (**paragraph 0002**), wherein the correcting device detects a discontinuous point of time information, which time information is added to the recording information, and regenerates the control information by regarding the discontinuous point thus detected as a border of the partial recording information piece (**paragraph 0101 and 0104**).

**Regarding Claim 12:** Claim 12 rejected for similar reason to claims 1 as discussed above.

**Regarding Claim 13:** Claim 13 rejected for similar reason to claims 3 as discussed above.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621

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Examiner, Art Unit 2621

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